

# CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

## WEAPON SYSTEMS ACQUISITION REFORM ACT OF 2009—Continued

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of S. 454, which the clerk will report.

The assistant legislative clerk read as follows:

A bill (S. 454) to improve the organization and procedures of the Department of Defense for the acquisition of major weapon systems, and for other purposes.

### AMENDMENT NO. 1052, AS MODIFIED

Mr. LEVIN. Mr. President, I now send a modified Murray amendment to the desk and ask that it be called up.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Michigan [Mr. LEVIN], for Mrs. MURRAY and Mr. CHAMBLISS, proposes an amendment numbered 1052, as modified.

Mr. LEVIN. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment, as modified, is as follows:

At the end of title II, add the following:

### SEC. 207. EXPANSION OF NATIONAL SECURITY OBJECTIVES OF THE NATIONAL TECHNOLOGY AND INDUSTRIAL BASE.

(a) IN GENERAL.—Subsection (a) of section 2501 of title 10, United States Code, is amended by adding at the end the following new paragraph:

“(6) Maintaining critical design skills to ensure that the armed forces are provided with systems capable of ensuring technological superiority over potential adversaries.”.

(b) NOTIFICATION OF CONGRESS UPON TERMINATION OF MDAPS OF EFFECTS ON NATIONAL SECURITY OBJECTIVES.—Such section is further amended by adding at the end the following new subsection:

“(c) NOTIFICATION OF CONGRESS UPON TERMINATION OF MAJOR DEFENSE ACQUISITION PROGRAM OF EFFECTS ON OBJECTIVES.—(1) Upon the termination of a major defense acquisition program, the Secretary of Defense shall notify Congress of the effects of such termination on the national security objectives for the national technology and industrial base set forth in subsection (a), and the measures, if any, that have been taken or should be taken to mitigate those effects.

“(2) In this subsection, the term ‘major defense acquisition program’ has the meaning given that term in section 2430 of this title.”.

Mr. LEVIN. Mr. President, Senator MURRAY introduced an important amendment yesterday and spoke about it last night. It is intended to make certain that when the Secretary of Defense looks at the question of cost and whether weapon systems should be continued, that at least the Secretary looks into the impact on the industrial base.

The amendment has been modified now in a way that makes this accept-

able. The Senator from Washington has put her finger on a very significant issue, which is the industrial manufacturing base of the country. But it has been modified in a way that would not make it difficult or impossible for us to do what we need to do relative to ending the production of weapon systems which, for instance, are no longer useful or have so outlived or outdone the expectations for the system and exceeded the expected expense that they are no longer practical in terms of their continued production.

So she has raised an important issue. It will be considered by the Secretary of Defense when these decisions are made. But the thrust of our bill is to make it possible to end the production of weapon systems if they are so costly that they no longer make sense or if they are not working effectively. That is the thrust of this bill, the heart of the matter. Her contribution does not detract or diminish that important point of our bill.

So we support that modified amendment and ask that the Senate adopt it.

The PRESIDING OFFICER. Is there further debate on the amendment? If not, the question is on agreeing to the amendment, as modified.

The amendment (No. 1052), as modified, was agreed to.

Mr. LEVIN. Mr. President, I move to reconsider the vote.

Mr. MCCAIN. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. The Senator from Arizona.

### AMENDMENT NO. 1057

Mr. MCCAIN. Mr. President, I ask unanimous consent to call up amendment No. 1057, offered by the Senator from Oklahoma, Mr. COBURN.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Arizona [Mr. MCCAIN], for Mr. COBURN, proposes an amendment numbered 1057.

Mr. MCCAIN. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To require a plan for the elimination of weaknesses in operations that hinder the capacity to assemble and assess reliable cost information on assets acquired under major defense acquisition programs)

At the end of title II, add the following:

### SEC. 207. PLAN FOR ELIMINATION OF WEAKNESSES IN OPERATIONS THAT HINDER CAPACITY TO ASSEMBLE AND ASSESS RELIABLE COST INFORMATION ON ACQUIRED ASSETS UNDER MAJOR DEFENSE ACQUISITION PROGRAMS.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Chief Management Officer of the Department of Defense shall submit to Congress a report setting forth a plan to identify and address weaknesses in operations that hinder

the capacity to assemble and assess reliable cost information on the systems and assets to be acquired under major defense acquisition programs.

(b) ELEMENTS.—The report required under subsection (a) shall include the following:

(1) Mechanisms to identify any weaknesses in operations under major defense acquisition programs that hinder the capacity to assemble and assess reliable cost information on the systems and assets to be acquired under such programs in accordance with applicable accounting standards.

(2) Mechanisms to address weaknesses in operations under major defense acquisition programs identified pursuant to the utilization of the mechanisms set forth under paragraph (1).

(3) A description of the proposed implementation of the mechanisms set forth pursuant to paragraph (2) to address the weaknesses described in that paragraph, including—

(A) the actions to be taken to implement such mechanisms;

(B) a schedule for carrying out such mechanisms; and

(C) metrics for assessing the progress made in carrying out such mechanisms.

(4) A description of the organization and resources required to carry out mechanisms set forth pursuant to paragraphs (1) and (2).

(5) In the case of the financial management practices of each military department applicable to major defense acquisition programs—

(A) a description of any weaknesses in such practices; and

(B) a description of the actions to be taken to remedy such weaknesses.

### (c) CONSULTATION.—

(1) IN GENERAL.—In preparing the report required by subsection (a), the Chief Management Officer of the Department of Defense shall seek and consider input from each of the following:

(A) The Chief Management Officer of the Department of the Army.

(B) The Chief Management Officer of the Department of the Navy.

(C) The Chief Management Officer of the Department of the Air Force.

(2) FINANCIAL MANAGEMENT PRACTICES.—In preparing for the report required by subsection (a) the matters covered by subsection (b)(5) with respect to a particular military department, the Chief Management Officer of the Department of Defense shall consult specifically with the Chief Management Officer of the military department concerned.

Mr. MCCAIN. I urge adoption of the amendment.

The PRESIDING OFFICER. Is there further debate? If not, the question is on agreeing to the amendment.

The amendment (No. 1057) was agreed to.

Mr. MCCAIN. Mr. President, I move to reconsider the vote.

Mr. LEVIN. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. MCCAIN. Mr. President, I believe there is a Senator coming over to speak, and I think that is the last speaker on this bill that I know of. So in the meantime, awaiting his arrival, I yield the floor.

The PRESIDING OFFICER. The Senator from Michigan.

Mr. LEVIN. Mr. President, I agree with Senator MCCAIN that we know of no more amendments that are going to